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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/872,680	06/01/2001	Eliot M. Case	1809 USW 0613 PUS	2909

22193 7590 11/06/2003

QWEST COMMUNICATIONS INTERNATIONAL INC
LAW DEPT INTELLECTUAL PROPERTY GROUP
1801 CALIFORNIA STREET, SUITE 3800
DENVER, CO 80202

EXAMINER

VO, HUYEN X

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 11/06/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/872,680

Applicant(s)

CASE ET AL.

Examiner

Huyen Vo

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/01/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5-7, 10, and 14-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Gasper et al. (US. Patent No. 5,278,943).

1. Referring to claim 1, Gasper et al. discloses a method of making a digital voice library utilized for converting text to concatenated voice in accordance with a set of playback rules (col. 2, ln. 64-67),

the digital voice library including a plurality of speech items and a corresponding plurality of voice recordings wherein each speech item corresponds to at least one available voice recording, wherein multiple voice recordings that correspond to a single speech item represent various inflections of that single speech item (col. 3, ln. 18-20 and 34-42), the method comprising:

establishing a vocal sequence (col. 9, ln. 16-17);

recording a voice talent uttering the vocal sequence (col. 9, ln. 18-22);

generating a complex tone that reflects a particular inflection required for a particular voice recording of a particular speech item, the complex tone being composed

of portions of the recording of the voice talent uttering the vocal sequence (col. 7, ln. 3-7); and

recording the voice talent reciting the particular speech item, to make the particular voice recording, the voice talent using the complex tone as a guide to allow the voice talent to recite the particular speech item in accordance with the particular inflection (col. 4, ln. 41-51).

2. Referring to claim 5, Gasper et al. further discloses a method wherein the particular speech item is a phoneme (col. 3, ln. 4-5).

3. Referring to claim 6, Gasper et al. further discloses a method wherein the particular speech item is a syllable (col. 4, ln. 1-2).

4. Referring to claim 7, Gasper et al. further discloses a method wherein the particular speech item is a word (col. 3, ln. 4-5).

5. Referring to claim 10, Gasper et al. Discloses a digital voice library utilized for converting text to concatenated voice in accordance with a set of playback rules (col. 2, ln. 64-67),

the digital voice library including a plurality of speech items and a corresponding plurality of voice recordings wherein each speech item corresponds to at least one available voice recording, wherein multiple voice recordings that correspond to a single

speech item represent various inflections of that single speech item (col. 3, ln. 18-20 and 34-42),

the digital voice library further comprising a particular voice recording of a particular speech item, the particular voice recording requiring a particular inflection (col. 13, ln. 20-25) and being made by:

establishing a vocal sequence (col. 9, ln. 16-17);

recording a voice talent uttering the vocal sequence (col. 9, ln. 18-22);

generating a complex tone that reflects the particular inflection required for the particular voice recording of the particular speech item, the complex tone being composed of portions of the recording of the voice talent uttering the vocal sequence (col. 7, ln. 3-7); and

recording the voice talent reciting the particular speech item to make the particular voice recording, the voice talent using the complex tone as a guide to allow the voice talent to recite the particular speech item in accordance with the particular inflection (col. 4, ln. 41-51).

6. Referring to claim 14, Gasper et al. further discloses a method wherein the particular speech item is a phoneme (col. 3, ln. 4-5).

7. Referring to claim 15, Gasper et al. further discloses a method wherein the particular speech item is a syllable (col. 4, ln. 1-2).

8. Referring to claim 16, Gasper et al. further discloses a method wherein the particular speech item is a word (col. 3, ln 4-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-4 and 11-13 rejected under 35 U.S.C. 103(a) as being unpatentable over Gasper et al. (US. Patent No. 5,278,943).

9. Referring to claim 2-4 and 11-13, Gasper et al. discloses a method wherein establishing the vocal sequence and recording the voice talent further comprise:
establishing the vocal sequence as a sequence of words (col. 9, ln. 16-17);

Gasper et al. fails to specifically disclose speaking tones, humming tones, and singing tones, but suggests "different prosodic environments" (col. 13, ln. 20-25). It is known in the art that speaking tones, humming tones, and singing tones are three different prosodic environments. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gasper et al. by specifically making records of these three different tones in order to avoid provide the digital library

a wide range of speech variations of particular words to enhance the speech recognition capabilities and increase the system's reliabilities.

Claims 8-9 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gasper et al. (US. Patent No. 5,278,943) in view of Friedman (US. Patent No. 6,182,029).

10. Referring to claims 8, Gasper et al. discloses all the limitations of claim 8, but fails to specifically disclose a method wherein the particular speech item is a phrase. However, Friedman teaches a method wherein the particular speech item is a phrase (col. 13, ln. 35, a sentence identifier can be viewed as a phrase identifier and is equivalent with the speech item).

Since Gasper et al. and Friedman are analogous art because they are from the same field of endeavors it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gasper et al. by incorporating a method wherein the particular speech item is a phrase as taught by Friedman in order to provide a sufficient number of speech items to associate with a large number of voice recordings.

11. Referring to claims 9, Gasper et al. discloses all the limitations of claim 8, but fails to specifically disclose a method wherein the particular speech item is a sentence.

However, Friedman teaches a method wherein the particular speech item is a sentence (col. 13, ln. 35, a sentence identifier is equivalent with the speech item).

Since Gasper et al. and Friedman are analogous art because they are from the same field of endeavors it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gasper et al. by incorporating a method wherein the particular speech item is a sentence as taught by Friedman in order to provide a sufficient number of speech items to associate with a large number of voice recordings.

12. Referring to claims 17, Gasper et al. discloses all the limitations of claim 8, but fails to specifically disclose a method wherein the particular speech item is a phrase. However, Friedman teaches a method wherein the particular speech item is a phrase (col. 13, ln. 35, a sentence identifier can be viewed as a phrase identifier and is equivalent with the speech item).

Since Gasper et al. and Friedman are analogous art because they are from the same field of endeavors it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gasper et al. by incorporating a method wherein the particular speech item is a phrase as taught by Friedman in order to provide a sufficient number of speech items to associate with a large number of voice recordings.

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13. Referring to claims 18, Gasper et al. discloses all the limitations of claim 8, but fails to specifically disclose a method wherein the particular speech item is a sentence. However, Friedman teaches a method wherein the particular speech item is a sentence (col. 13, ln. 35, a sentence identifier is equivalent with the speech item).

Since Gasper et al. and Friedman are analogous art because they are from the same field of endeavors it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Gasper et al. by incorporating a method wherein the particular speech item is a sentence as taught by Friedman in order to provide a sufficient number of speech items to associate with a large number of voice recordings.

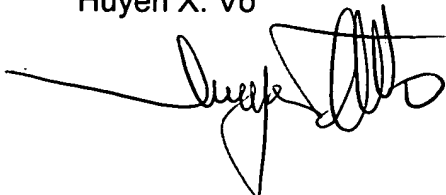
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose email address is vo.huyen@uspto.gov. The examiner can normally be reached on M-F, 9-5:30.

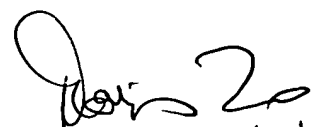
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-0377.

Huyen X. Vo



October 16, 2003


DORIS H. TO 10/31/03
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600